



**CITY OF SUN VALLEY
PLANNING AND ZONING COMMISSION
AGENDA REPORT**

To: Planning and Zoning Commission
From: *MH* Mark Hofman, Community Development Director
Meeting Date: June 27, 2013
Agenda Item: Brown Lot Consolidation
Plat Amendment Application No. SUBPA 2013-03

SUBJECT: Public hearing for a plat amendment application to eliminate a common lot line between two existing lots in the Single-Family Residential (RS-1) Zoning District, thereby creating one new lot with a new building envelope. The lot consolidation is associated with Design Review Application No. DR 2013-22 for the construction of a new living space and attached garage addition to the existing dwelling on Lot 42. Applicant: Benchmark Associates, P.A. for Roger and Pamela Brown. Application Filing Date: May 16, 2013. Location: 110 Elkhorn Road; Lots 41 and 42 Elkhorn Meadows Subdivision.

BACKGROUND: The project area consists of one developed single family residential lot, Lot 42, adjoining one undeveloped residential lot, Lot 41, of the Elkhorn Meadows Subdivision. Both lots are under common ownership, lay on the south side of Elkhorn Road, and are zoned Single-Family Residential (RS-1). The subject lots front Elkhorn Road, the Sun Valley Golf Course lies adjacent along the site's rear property line and adjacent lots are developed with existing single family structures and related improvements. Lot 42 is developed with a single-story, detached single-family dwelling. Lot 41 is undeveloped and has wetland areas with a stream running along the southeast side and southern rear property lines. The plat amendment application proposes to consolidate the two lots by eliminating the side lot line common between the two lots to form a new 1.16 acre (50,750 square feet) Lot 41A. Each existing lot has a recorded building envelope that will be eliminated with the plat amendment. A new building envelope will be recorded with the plat amendment that conforms to the existing dwelling on Lot 42 and the living space and attached garage addition proposed with associated Design Review Application No. DR 2013-22. The lot consolidation and new building envelope are fully depicted by attached **Exhibit "PZ-C"**.

ANALYSIS: As a result of this plat amendment, the areas of existing Lots 41 and 42 would be joined and identified as Lot 41A. The proposed 50,750 square foot new lot exceeds the 20,000 square foot minimum lot size and all property line dimension standards required in the RS-1 Zoning District. The new adjusted property lines and new building envelope will more accurately reflect the existing topography and riparian layout of the area. No development is proposed for the stream area or any wetland or riparian habitat as part of this project. Resulting Lot 41A would retain the right to be developed with one (1) detached single family dwelling and the consolidation would decrease the ultimate development density for the neighborhood by one unit.

The completed review of the application and supporting materials by the Community Development Department and the City's contract Engineer, CH2M Hill (**Exhibit "PZ-B"**) finds no unresolved issues, code conflicts or fatal flaws in the plat amendment nor any needed Fire Department comments or conditions. The public hearing was properly noticed in accordance to Development Code regulations and no comments or questions, other than one supportive general inquiry, from the public have been received by the City as of the release of this Report.

Alternative Actions: Alternative actions available to the Commission include: (1) make the required findings and adopt the attached draft Findings of Fact and Conclusions of Law recommending approval of the plat amendment to the City Council; (2) Continue the hearing for further information and review; or (3) Close the public hearing, discuss the findings, vote to recommend denial of the plat amendment application and direct staff to return on a date certain with a resolution of denial reflecting the comments and findings of the Commission.

RECOMMENDATION: Before public comment is received, the Commission should disclose all information and contacts received outside the hearing on this item upon which the decision will be based, receive public testimony, and consider the facts and findings necessary to make a recommendation on the plat amendment to the City Council. The Community Development Director recommends approval of the plat amendment application subject to the Conditions of Approval contained in the attached draft Findings of Fact (**Exhibit "PZ-A"**).

LIST OF ATTACHED EXHIBITS:

- | | |
|----------------|---|
| Exhibit "PZ-A" | Draft Findings of Fact, Conclusions of Law and Decision for Plat Amendment Application No. SUBPA 2013-03. |
| Exhibit "PZ-B" | CH2MHill review and comment letter dated May 28, 2013 from Betsy Roberts and Jennifer Bass. |
| Exhibit "PZ-C" | Reduced 11" by 17" Plat Amendment Exhibit forming new Lot 41A of the Elkhorn Meadows Subdivision, dated received by the City of Sun Valley on May 16, 2013. |

** The entire administrative record for this Plat Amendment application is available for review in the Community Development Department at City Hall.

EXHIBIT "PZ-A"

**(DRAFT) SUN VALLEY
PLANNING AND ZONING COMMISSION**

PLAT AMENDMENT)	FINDINGS OF FACT/CONCLUSIONS
LOTS 41 AND 42)	OF LAW, DECISION
ELKHORN MEADOWS SUBDIVISION)	AND CONDITIONS
110 ELKHORN ROAD)	
APPLICATION NO. SUBPA 2013-03)	

This matter came before the Sun Valley Planning and Zoning Commission for consideration on June 27, 2013 as a duly noticed public hearing for the elimination of a common lot line between two existing lots in the Single-Family Residential (RS-1) Zoning District, thereby creating one new lot with a new building envelope. The lot consolidation is associated with Design Review Application No. DR 2013-22 for the construction of a new living space and attached garage addition to the existing dwelling on Lot 42. The adjoining lots are commonly owned by the applicant. The Commission conducted a properly noticed public hearing, reviewed the Agenda Report and heard the comments of City staff, the applicant's representatives and the public. Additionally, the Commission reviewed the approval recommendation document with suggested Findings of Fact, Conclusions of Law, and Conditions of Approval recommended by the Community Development Director. Based on the evidence presented, the Commission hereby recommends approval of the proposed plat amendment to the City Council with the following Findings of Fact and Conclusions of Law and subject to specific conditions of approval.

FINDINGS OF FACT/CONCLUSIONS OF LAW

1. The applicant is Benchmark Associates, P.A. for Roger and Pamela Brown. The subject property consists of existing Lots 41 and 42 of the Elkhorn Meadows Subdivision Plat. This Plat Amendment application was submitted in conjunction with Design Review Application No. DR 2013-22 and both existing lots are zoned Single-Family Residential (RS-1) Zoning District. The existing residence on Lot 42 is to remain as part of the project design and a new living space and attached garage addition will be constructed on new Lot 41A in conformance with a new building envelope established with this Plat Amendment.
2. The application consists of a plat amendment map showing the elimination of the side property line common between the two lots. The lot consolidation will result in a larger Lot 41A with a lot area of 1.16 acres (50,750 square feet), where a 20,000 square foot minimum is required in the RS-1 Zoning District. Therefore, the resulting lot will remain in conformance with minimum lot size and property line dimension requirements.
3. Each existing lot has a recorded building envelope that will be eliminated with the plat amendment. A new building envelope will be recorded that conforms to the existing dwelling on Lot 42 and the living space and attached garage addition proposed with associated Design Review Application No. DR 2013-22. The new rectangular shaped building envelope will conform to the maximum 6,321 square foot envelope size calculated for the new lot size

and will maintain the required fifteen (15) foot setback for structures in the RS-1 Zoning District. All easements associated with the Elkhorn Meadows Subdivision Plat would remain unchanged.

4. The applicant has provided the information required for application, review, and action on a plat amendment as set forth in City of Sun Valley Municipal Code Section 9-5A-4, Required Application Information. On June 12, 2013 proper notice for the public hearing was completed by: 1.) publishing of a public notice of a site visit and public hearing in the local newspaper of record; 2.) mailed to adjacent properties within a minimum 300-foot radius; 3.) posted at Sun Valley City Hall, the Sun Valley Post Office, Elkhorn Springs Store Post Office, St. Thomas Episcopal Church and the Elkhorn Fire Station; 4.) posted on the site; 5.) electronically transmitted to all those requesting receipt of such notices; and, 6.) posted on the City's website under public notices.
5. The required findings for review of a proposed plat amendment are contained in Municipal Code Section 9-4B-1F.
6. The property line elimination application will not lower the dimensions of the resulting Lot 41A below a minimum dimensional standard prescribed by Title 9, Development Code. The amendment proposes to consolidate the two lot areas to create a larger, more flexible area for single-family development on resulting Lot 41A. The plat amendment will not increase the number of properties/lots and the property line elimination will not change or move any public streets or publicly dedicated areas in any manner. No development is proposed for the stream area or any wetland or riparian habitat as part of this project. Resulting Lot 41A would retain the right to be developed with one (1) detached single family dwelling and the consolidation would decrease the ultimate development density for the neighborhood by one unit. A new building envelope will be created on the resulting lot and each aspect of the proposed adjustment to property lines complies with all applicable provisions of the Development Code.
7. The plat adjustment is appropriate for the design and physical location of existing and future development and will primarily be utilized as additional area for a living space and attached garage addition to the existing single family dwelling. The amendment is appropriate for the single-family development because the new larger lot area for Lot 41A provide greater flexibility for locating and designing site improvements and maintain privacy and riparian habitat. Lot 41A is consistent with existing developed lots adjacent to the site and in the surrounding development. A slope analysis was not required for the application review because the site is generally flat with gentle slopes. The resulting lot is determined to be buildable with a suitable single-family dwelling similar in character with the surrounding development while preserving the riparian and stream habitat areas. The new building envelope created with the Plat Amendment is consistent with riparian and stream preservation.
8. The property line elimination plat amendment is consistent with the Sun Valley Comprehensive Plan designation for Low Density Residential and does not significantly change the existing allowed land uses nor cause any conflict with the goals and policies of the Comprehensive Plan. There are no designated scenic, agricultural, recreational, special or traditional sites identified for the lot by the Comprehensive Plan.

9. The plat amendment will not affect the character of the neighborhood in a materially adverse manner because the new consolidated lot remains consistent with the existing layout of the Elkhorn Meadows Subdivision and provides greater privacy and flexibility in development and site design for new single-family Lot 41A. The property line elimination is minor and, once recorded, the plat modification will appear as though designed as part of the original development.
10. The lot consolidation does not involve or alter any area used for access to the overall Elkhorn Meadows Subdivision nor any associated or adjacent public or private access or parking areas. The new Lot 41A configuration is consistent with all applicable easements and rights of way and with the original design of the access, traffic, circulation, and parking areas of the development.

DECISION

Therefore, based upon the foregoing Findings of Fact/Conclusions of Law, the Sun Valley Planning and Zoning Commission hereby recommends approval of the plat amendment to the City Council to eliminate the common side property line between existing Lots 41 and 42 of the Elkhorn Meadows Subdivision and establish a new building envelope for the resulting larger lot, according to the plat amendment map, supporting plans, and documents submitted as part of the development application, subject to the following specific conditions of approval.

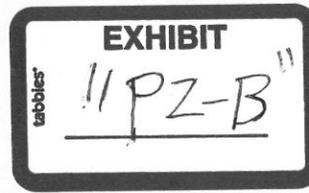
CONDITIONS OF APPROVAL

1. The action by the Planning and Zoning Commission on the plat amendment is a recommendation only and requires final action by the City Council at a noticed public hearing. The plat amendment and all aspects of the project design shall conform to the project drawings stamped received by the City of Sun Valley on May 16, 2013 and reviewed by the Planning and Zoning Commission on June 27, 2013.
2. Upon approval of the plat amendment by the City Council to eliminate the common side property line between Lots 41 and 42 of the Elkhorn Meadows Subdivision and establish a new building envelope for the resulting larger lot, the applicant shall record the amended plat with the Office of the County Recorder and provide a paper copy of the recorded document to the Community Development Director. This plat amendment approval shall expire three hundred sixty five (365) days from the date of approval unless extended pursuant to Code Section 9-5A-9.
3. This plat amendment application (No. SUBPA 2013-03) shall be specific to Design Review Application No. DR 2013-22. The applicant shall satisfy all applicable conditions and requirements of the associated design review approval in addition to the conditions contained herein.

Dated this 27th day of June, 2013.

Jake Provonsha, Vice Chairman
Planning and Zoning Commission
City of Sun Valley

Date Findings of Fact Signed



Preliminary Plat: Elkhorn Meadows Subdivision: Lot 41A

TO: Mark Hofman

COPIES: Bill Whitesell
Larry Jones, Benchmark Associates

FROM: Betsy Roberts
Jennifer Bass

DATE: May 28, 2013

We received the Preliminary Plat sheet and closure report for Elkhorn Meadows Subdivision: Lot 41A. This document meets the intent of a preliminary plat submittal and we find no fatal flaws.

We have the following general observations for this project at this time; these are not all inclusive:

1. Final Plat shall indicate basis of bearing, any snow storage and utility easements per original plat, sanitary restrictions, and a certification sheet (with a spot for both land owners' signatures).
2. Confirm that C2 is required on the plat.
3. Confirm that there is an easement for the existing sewer manhole in the southwest corner of the lot.

A copy of the Elkhorn Meadows Subdivision Lot 41A Preliminary Plat checklist table is attached.

Attachment: Elkhorn Meadows Subdivision Lot 41A Preliminary Plat Table, Dated May 28, 2013

**CITY OF SUN VALLEY
PRELIMINARY PLAT CHECK LIST TABLE**

For: Benchmark Associates

1	Subdivision Name:	Elkhorn Meadows Subdivision: Lot 41A
2	Reviewer:	Jennifer Bass
3	Date:	May 28, 2013
4	Sheet Title and Preamble:	Elkhorn Meadows Subdivision: Lot 41A. Located within: Section 21, T. 4 N., R. 18 E., B.M., City of Sun Valley, Blaine County, Idaho. Wherein the lot line common to Lots 41 and 42 of Elkhorn Meadows Subdivision (Inst. No. 151525) is eliminated and a new building envelope is created. May 2013. Preliminary Plat
5	Basis of Bearing:	Referenced in Note 1. Show on final plat
6	North Arrow:	OK
7	Scale and Legend:	OK
8	Plat Closure:	OK
9	Total Area:	OK
10	Monuments:	OK
11	Land Corners:	OK
12	Initial Point:	OK
13	Street Names & Width:	OK
14	Easements:	None shown. Note 1 refers to original plat for boundary lines and certain easements. No snow storage or utility easements shown. No easement shown for existing sewer manhole in southwest corner of lot.
15	Lot & Block Numbers:	OK, no block numbers shown.
16	Lot Dimensions:	OK
17	Curve & Line Tables:	Confirm that C2 is required on the plat.
18	Certifications:	None shown, will be included with final plat
19	Certificate of Owner:	None shown, will need both owners signatures on the certification sheet.
20	Certificate of Surveyor:	None shown
21	Sanitary Restriction:	None shown, will be included on final plat face
22	Agency Approvals:	None shown
23	Public Dedication:	None shown
24	Common Areas:	N/A

Notes: Final Plat shall indicate basis of bearing, any snow storage and utility easements per original plat, sanitary restrictions, and a certification sheet (with a spot for both land owners' signatures). Confirm that C2 is required on the plat. Confirm that there is an easement for the existing sewer manhole.

ELKHORN MEADOWS SUBDIVISION: LOT 41A

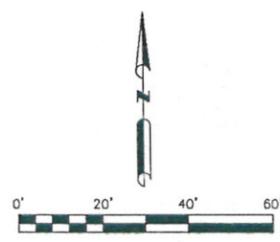
LOCATED WITHIN: SECTION 21, T. 4 N., R. 18 E., B.M., CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO

WHEREIN THE LOT LINE COMMON TO LOTS 41 AND 42 OF ELKHORN MEADOWS SUBDIVISION (INST. NO. 151525) IS ELIMINATED AND A NEW BUILDING ENVELOPE IS CREATED

MAY 2013

PRELIMINARY PLAT

EXHIBIT
11" PZ-C"



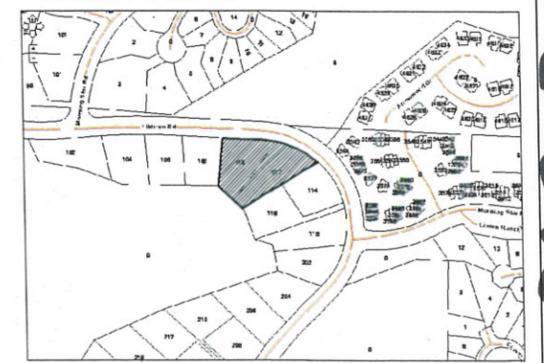
LEGEND:

- PROPERTY BOUNDARY
- LOT LINE ELIMINATED
- ADJOINING PROPERTY LINE
- EDGE DRIVEWAY
- NEW BUILDING ENVELOPE
- BUILDING ENVELOPE ELIMINATED
- APPROXIMATE EDGE WILLOWS
- APPROXIMATE CENTERLINE STREAM
- EDGE WATER 5/2013
- FOUND 1/2" REBAR
- SET 1/2" REBAR
- BEARINGS AND DISTANCES (MEASURED)
- BEARINGS AND DISTANCES (RECORD)
- EVERGREEN TREE
- DECIDUOUS TREE

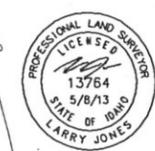
NOTES:

1. BASIS OF BEARINGS IS PER THE ORIGINAL PLAT OF ELKHORN MEADOWS SUBDIVISION (INST. NO. 151525). BOUNDARY LINES AND CERTAIN EASEMENTS SHOWN HEREON ARE PER SAID PLAT. REFER TO SAID PLAT & CC&R'S FOR CONDITIONS AND/OR RESTRICTIONS REGARDING THIS PROPERTY.
2. ELEVATIONS BASED ON NAVD 88 (GEOID03) DATUM.
3. UTILITIES AND DRAIN PIPES IF SHOWN HEREON ARE PER SURFACE EVIDENCE ONLY. OTHER UNDERGROUND UTILITIES MAY EXIST. LOCATION OF UNDERGROUND UTILITIES AND SERVICES SHOULD BE CONFIRMED PRIOR TO EXCAVATION OR DESIGN.
4. BUILDING WALLS IF SHOWN HEREON ARE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
5. CONTOUR INTERVAL: 2' - CONTOURS IN AREAS OF DENSE VEGETATION MAY DEVIATE FROM TRUE ELEVATION BY ONE HALF THE HEIGHT OF THE VEGETATION. CONTOURS UNDER BUILDINGS ARE INTERPRETED FROM THE SURROUNDING GRADES AND WILL NOT REFLECT BASEMENTS, CRAWLSPACES, OR OTHER OBSCURED FEATURES. DATE OF LIDAR FLIGHT FOR CONTOURS: NOVEMBER 2007.
6. BUILDING AREA: BUILDING ENVELOPE, IS PER CITY OF SUN VALLEY. SETBACK AND FOOTPRINT REQUIREMENTS PER CURRENT CITY/COUNTY ORDINANCES MAY VARY. IT IS RECOMMENDED THAT SAID ORDINANCES BE REVIEWED PRIOR TO DESIGN.

VICINITY MAP:



NOT TO SCALE



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	288.31'	195.75'	192.01'	N 67°40'18" W	38°54'01"
(C1)	288.31'	196.17'	192.41'	N 67°52'24" W	38°59'08"
C2	288.31'	313.01'	297.86'	N 17°15'03" W	62°12'16"

PREPARED BY:
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ELKHORN MEADOWS SUB. LOT 41A
LOCATED WITHIN SECTION 21, T. 4 N., R. 18 E., B.M., CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO

PREPARED FOR: CURTIS KEMP

PROJECT NO. 13040	DWG BY: LLJ/CPL	FILE: 13040PRE.DWG
PRELIMINARY PLAT	DATE: 4/23/2013	SHEET: 1 OF 1

SUB PA 2013-03